

FILED

DEC 12 2018

NOTICE AND
REQUEST FOR WAIVER OF SERVICE OF SUMMONS

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

TO: CITY OF PITTSBURGH
(Name of individual defendant (or name of officer or agent of corporate defendants))

AS: _____
(Title, or other relationship of individual to corporate defendants)

OF: ~~WELLS FARGO~~
(Name of corporate defendant, if any)

A lawsuit has been commenced against you (or the entity on whose behalf you are addressed). A copy of the complaint is attached to this notice. It has been filed in the United States District Court for the Western District of Pennsylvania. The assigned docket number for this case is Civil Action No. 2:18-cv-342.

This is not a formal summons or notification from the court, but rather my request that you **sign and return the enclosed waiver** of service in order to save the cost of serving you with a judicial summons and an additional copy of the complaint. The cost of service will be avoided if I receive a signed copy of the waiver within 30 days (at least 30 days, 60 days if located in foreign country) after the date designated below as the date on which this Notice and Request is sent. I enclose a stamped and addressed envelope (or other means of cost-free return) for your use. An extra copy of the waiver is also attached for your records.

IF you comply with this request and return the signed waiver, it will be filed with the court and **no summons will be served on you**. The action will then proceed as if you had been served on the date the waiver is filed except that you will not be obligated to answer the complaint before 60 days from the date designated below as the date on which this notice is sent (or before 90 days from the date if your address is not in any judicial district of the United States).

IF you do not return the signed waiver within the time indicated. I will take appropriate steps to effect normal service in a manner authorized by the Federal rules of Civil Procedure and will then, as authorized by those Rules, **ask the court to require you** (or the party on whose behalf you are addressed) **to pay full costs of service**. In that connection, please read the statement concerning the duty of parties to waive the service of summons, which is set forth below.

I affirm that this request is being sent to you on behalf of the plaintiff this _____ day of NOV 07 2018 20_____.

Sheila Blessing, Administrative Assistant
U.S. Marshals Service, Pittsburgh, Pennsylvania 15219

WAIVER OF SERVICE OF SUMMONS

TO: United States Marshal's Service

I acknowledge receipt of you Washington v. Gilmore, et al which is case number Civil Action No. 2:18-cv- 342 in the United States District Court for the Western District of Pennsylvania. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after NOV 07 2018 (date request was sent), or within 90 days after that date if the request was sent outside the United States.

DATE: 12/7/18

SIGNATURE: Matt McHale

Printed/typed name: Matthew McHale

Title if any: Assoc City Solicitor

Counsel For: City of Pittsburgh